

Grant County Planning Commission
Aug 25th, 2003

The August 25 2003 regular meeting of the Planning Commission was called to order by Vernon Webster at 7:00 p.m.

Those in attendance: Vernon Webster, Marvin Faulkner, Bill Marksberry, Nick Kinman, Brooke Rider, Marlon Kinsey, William Covington, Stephen Fritz, Nancy Duley, Kevin Hudson, Tom Neinaber and Ray Erpenbeck.

There was a quorum present.

ITEM 1. JULY 28 MINUTES

Marvin Faulkner made a motion to approve the meeting minutes for July 28, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 2. AUG FINANCIAL REPORT

Stephen Fritz made a motion to approve the August financial report, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 3. ADMINISTRATORS REPORT

- Jonathan introduced Marlon Kinsey as the new member of the Commission replacing Jim Weigel
- Jonathan asked the Commission to approve the purchase of 2 new computers at a price of \$936.00 each. He stated that the existing computers are insufficient to handle the large graphics.
Nancy Duley made a motion to approve the purchase of the two new computers, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.
- new officers: Marvin Faulkner stated that he Committee has spoken to all current officers and they have agreed to continue to serve in their position.

Chairman:

Marvin Faulkner made a motion to have John Lawrence to serve as Chairman, Stephen Fritz seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

There were no other nominations for Chairman.

Vice Chairman:

Marvin Faulkner made a motion to have Vernon Webster to serve as Vice Chairman, Stephen Fritz seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

There were no other nominations for Vice Chairman.

Treasurer:

Marvin Faulkner made a motion to have Bill Marksberry to serve as Treasurer, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

There were no other nominations for Treasurer.

Secretary:

Marvin Faulkner made a motion to have Nick Kinman to serve as Secretary, Bill Marksberry seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

There were no other nominations for Secretary.

ITEM 4. 911 ADDRESSING

Jonathan stated that some questions had come about as to why 911 addresses were only issued to habitable structures.

Julie Patrick, 911 director, stated that the only way a location is identified is through the phone lines. She said that it would not help them to address parcels of land without phone lines. She asked if addresses were issued based on mileage.

Becky stated that usually the address cannot be issued on mileage because there are already existing structures which do not fall into line.

Jim Wells stated that when the addresses were issued several years ago they were done on mileage and a parcel of land may not have a specific number but would have an address range.

Julie Patrick and Jim Wells stated that there are several roads in the county that need to be looked at changing the names and correcting the addresses.

Stephen Fritz stated that the problem he has heard about is that the water company wants an address to for the water meter that someone is putting to their barn.

Jonathan stated that the water company shouldn't need an address and that maybe the water companies should be contacted and explain to them why addresses are issued only to homes.

ITEM 5. TEXT AMENDMENT - PLANNING COMMISSION - CITY OF CRITTENDEN ORDINANCE

Vernon Webster declared the public hearing open.

Jonathan Britt stated that there are two ways that a text amendment can originate 1. through the legislative body and 2. through the Planning Commission. He said that a member of the City Council could possibly be affected by this request therefore the City Council thought that the request should come before the Planning Commission first.

Jonathan state that the request was to add "retail sales of automotive parts and accessories, provided that all sales are within a completely enclosed building or structure" as a use in the Neighborhood commercial zone in the City of Crittenden Zoning Ordinance. He stated that he recommended that the Commission approve the request.

Vernon Webster asked if anyone wished to speak for or against the request. No one spoke for or against.

Vernon Webster declared the public hearing closed.

Bill Marksberry made a motion to approve the request, Marvin Faulkner seconded the motion. A hand vote was taken all members in attendance voting in favor of the motion. Motion passes

ITEM 6: ZONE CHANGE - STEWART A1 TO A2

APPLICANT: Ruby Stewart

GENERAL LOCATION: An approximate 14.003 acre area located on the north side of Golds Valley Road approximately 0.9 miles east of the intersection of Golds Valley Road and KY 36.

REQUEST: to change the zoning of the property from A1 - Agricultural-One to A2 - Agricultural - Two

Vernon Webster declared the public hearing open.

Mrs. Stewart stated that she currently has 14 acres and she wants to sell 6.61 acres with the existing home and keep the other part that is connected to her farm.

Jonathan Britt asked if there was an existing home on the property.

Mrs. Stewart stated that there was.

Vernon Webster asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Vernon Webster declared the public hearing closed.

Jonathan Britt stated that all fees were paid and required notification given.

Jonathan read the staff recommendation, which was approval of the zone change because the proposal is in compliance with the adopted Comprehensive Plan. Findings in support of this recommendation are: 1. with an existing home on the property, there should be no environmental or urban services issue with the proposed development and should provide for the use for viable agricultural production in the surrounding areas of the community. 2. the roadway is sufficient enough to accommodate the amount of traffic that could be generated from the proposed zoning classification.

Stephen Fritz made a motion to approve the request, Kevin Hudson seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 7: ZONE CHANGE - E. MCCLURE A1 TO RR

APPLICANT: Elizabeth McClure

GENERAL LOCATION: An approximate 10.2396 acre area located on the north side of Scaffold Lick Road approximately 1.8 miles east of the intersection of Scaffold Lick Road and KY 36.

REQUEST: to change the zoning of the property from A1 - Agricultural-One to RR Rural Residential

Vernon Webster declared the public hearing open.

Mrs. McClure stated that she has a home on 10 acres, and other 10 acre tracts and she just wants to rezone 10 acres into 2 lots and leave the other tracts agricultural. She asked if she paid \$700.00 for 4 lots.

Jonathan Britt stated that the ad in the paper is the entire number of acres that she is rezoning and that she is just rezoning for 2 lots.

Mrs. McClure stated that Jonathan told her that it would be \$700.00 for 2 lots.

Jonathan told Mrs. McClure that the cost of the zone change is based on the number of acres and on the number of adjoining property owners.

Mrs. McClure asked if the lots had to have new addresses.

Jonathan stated that when the owners are going to build homes on the property is when addresses will be issued to the lots.

Vernon Webster asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Vernon Webster declared the public hearing closed.

Jonathan Britt stated that all fees were paid and required notification given.

Jonathan read the staff recommendation, which was approval of the zone change, with conditions, because the proposal is in compliance with the adopted Comprehensive Plan. Conditions: 1. that the proposed 2 lots not be further subdivided unless the residual of the tracts are conveyed back to the original parent tract. Findings in support of this recommendation are: 1. being limited to two additional housing units, the traffic patterns should not significantly change. The roadway should be sufficient to accommodate the addition of these vehicles. 2. does encourage large lot residential development while leaving some agricultural productive lands in the area.

Mr. Neinaber asked Mrs. McClure is she agreed to the condition requested by Mr. Britt.

Mrs. McClure stated that she did agree to the requested condition.

Stephen Fritz made a motion to approve the request based on the findings of fact in the staff recommendation with the condition that the 2 lots not be further subdivided, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 8: ZONE CHANGE - OSBORNE A1 TO RR

APPLICANT: Kathryn Osborne

GENERAL LOCATION: An approximate 3 acre area located on the north side of Cason Lane approximately 1.6 miles south of the intersection of Cason Lane and Sherman Mt. Zion Road.

REQUEST: to change the zoning of the property from A1 - Agricultural-One to RR - Rural Residential

Vernon Webster declared the public hearing open.

Mrs. Osborne stated that she currently owns a large farm and the end of Cason Lane and wants to divide 3 acres from the farm to sell. She stated that the tract that this 3 acres is coming from has 10 acres and that the remaining 7 acres will be deeded back with the existing farm.

Vernon Webster asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Vernon Webster declared the public hearing closed.

Jonathan Britt stated that all fees were paid and required notification given.

Jonathan read the staff recommendation, which was approval of the zone change because the proposal is in compliance with the adopted Comprehensive Plan. Findings in support of this recommendation are: 1. provides for large lot residential development while preserving viable agricultural lands 2. the roadway is sufficient enough to accommodate the amount of traffic that could be generated from the proposed zoning classification. Conditions: 1. that the proposed 3 acre site not be further subdivided unless the remaining portion of the lot is conveyed back to the original parent tract.

Mrs. Osborne stated that she agreed to the condition.

William Covington asked what would become of the non-buildable lot.

Mrs. Osborne stated that it would be deeded back to the 117 acres.

Marvin Faulkner made a motion to approve the request based on the findings of fact in the staff recommendation with the condition that if the 3 acres is subdivided the remaining portion of the lot is conveyed back to the original parent tract, Kevin Hudson seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 9: ZONE CHANGE - MCCLURE A1 TO R1

APPLICANT: Larry & Pam McClure

GENERAL LOCATION: An approximate 1.189 acre area located on the west side of Valandingham Road approximately 0.1 mile north of the intersection of Arnolds Creek Road and Valandingham Road.

REQUEST: to change the zoning of the property from A1 - Agricultural-One to R1 - Residential One

Vernon Webster declared the public hearing open.

Mr. McClure said that the request was to split 1 acre from 20 acres for a residential house.

Vernon Webster asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Vernon Webster declared the public hearing closed.

Jonathan Britt stated that all fees were paid and required notification given.

Jonathan asked if the 100'x200' easement for sewage and waste disposal was not included in the property being divided off and if the easement could be in fact be given.

Ray Erpenbeck stated that the easement could be given.

Tom Neinaber said that the easement was for a septic system and could be granted.

Mr. McClure said that if that property was included the acreage would be over 1 acre and the easement was only for leach lines.

Jonathan read the staff recommendation, which was approval of the zone change because the proposal is in compliance with the adopted Comprehensive Plan. Findings in support of this recommendation are: 1. the roadway is sufficient enough to accommodate the amount of traffic that could be generated from the proposed zoning classification. 2. requested zoning classification does not appear to be incompatible with the surrounding land uses and thus not a detriment to the surrounding property owners.

Marvin Faulkner made a motion to approve the request based on the findings of fact in the staff recommendation, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 10: ZONE CHANGE - RILEY A1 TO R1

APPLICANT: David Riley

GENERAL LOCATION: An approximate 1.7138 acre area located on the north side of Osborne Road approximately 0.8 miles northwest of the intersection of Warsaw Road and Osborne.

REQUEST: to change the zoning of the property from A1 - Agricultural-One to R1 - Residential One

Vernon Webster declared the public hearing open.

Steve Howe, representing the applicant, stated that the request was to rezone 1.7 acres with the existing home and build a new home on the remaining 10 acres.

Vernon Webster asked if anyone wished to speak for or against the request.

Wayne Meyers asked the Commission when this was going to stop. He stated that the last time he was before the Commission he made the remark that the Comprehensive Plan required that the roadway be 18 ft. and this road is not 18 ft. He said that the neighbors said that the Commission was going to do whatever they wanted and that is why more people did not show up to speak about the request. He said that he recommends that this not be approved. He also stated that the front setback in A1 is 50ft. and the existing home is not 50ft.

Jonathan showed Mr. Meyers the survey which showed the home being 52 ft. from the right of way.

Vernon Webster thanked Mr. Meyers for his comments and stated that they will be taken under consideration by the commission.

Vernon Webster declared the public hearing closed.

Jonathan Britt stated that all fees were paid and required notification given.

Jonathan read the staff recommendation, which was approval of the zone change because the proposal is in compliance with the adopted Comprehensive Plan. Findings in support of this recommendation are: 1. proposed development does encourage large lot development and the continued use of viable agricultural lands 2. the roadway is sufficient enough to accommodate the amount of traffic that could be generated from the proposed zoning classification.

William Covington made a motion to approve the request based on the finding of facts in the staff recommendation, Nancy Duley seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Item 11: ZONE CHANGE - Willoughby A1 TO R4

APPLICANT: Royce "Tub" Willoughby

GENERAL LOCATION: An approximate 30.56 acre area located on the south side of Taft Hwy. approximately 1.6 miles west of the intersection of I-75 and Taft Hwy.

REQUEST: to change the zoning of the property from A1 - Agricultural-One to R4 - Residential Four

Vernon Webster declared the public hearing open.

Jeff Shipp, representing the applicant, stated that the request was to rezone the property from A1 to R4. He said that they are proposing 10 4-family units and 15 6-family units totaling 130 dwelling units which is 4.25 units per acre. He said the property is located on Hwy. 22 in the City of Dry Ridge and is adjacent to Industrial and Commercial businesses. Mr. Shipp stated that there were changes to the area not anticipated by the Comprehensive Plan, specifically the Industrial area which would make this property not compatible for single family homes.

Jonathan asked how long the Industrial plants have been there.

Mr. Shipp stated that they have been there 10-15 years.

Jonathan stated that the Comprehensive Plan was updated in 2001.

Mr. Shipp continued saying that the Commercial and Industrial properties have made this property incompatible to single family development. Mr. Shipp also stated that low density developments are not selling lots; he said that there are 2 developments in Dry Ridge and both have numerous lots available. Mr. Shipp said that in 2 years there have been 12 sewer permits for low density houses and that there is no high density available and that none was included in the Comprehensive Plan. He stated that he was aware that the staff recommendation was for denial and he would like to address some of the issues. Runoff - He said that the developer would be required to address this during the stage 1 and stage 2 development plans. Sewer - He said that the report says that this will put a strain on the sewer system and that nothing could be further from the truth. He said that the sewer system is at 48% and this development will have no impact on the sewer system. He said that the City has water left over every month, that water is available to the property and that Mr. Willoughby would have to take care of getting sewer to the property. Transportation - Mr. Shipp stated that Hwy. 22 can handle the additional traffic without any trouble and that the only traffic problem in the area is caused by the school traffic. Police and Fire protection - Mr. Shipp stated that Dry Ridge is part of the Countywide Sheriff department and this development will only increase the tax dollars and allow the City to make a larger contribution. He also said that Dry Ridge is the only city with their own paramedic and this will not tax the fire or police any greater than any other proposal. School - He said that this will not have any impact on the school. He said the statistic show a 2.3% increase annually in Grant County School system. He said in 1992-1996 there was a 3.6% increase to a 4.3% increase, and then in 1997-1998 there was a decrease in enrollment. He said that Williamstown School District is having a more significant growth than the County. He again stated that this development would have no impact on the county school system. Mr. Shipp said that if there are any concerns that Mr. Willoughby is going to sell the property to another developer he said that they are not; their plans are to phase in the development. Mr. Shipp requested that the Board not follow the staff recommendation and grant the zone change because there have been changes in the economic and social issues.

Vernon Webster asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Vernon Webster declared the public hearing closed.

Jonathan Britt stated that all fees were paid and required notification given.

Jonathan read the staff recommendation, which was denial of the zone change. Findings in support of this recommendation are: 1. the application for the proposed zone change request is not in compliance with the current adopted Comprehensive Plan 2. there has been no evidence presented that the current zoning classification is inappropriate and that the requested zoning classification is appropriate 3. no evidence has been provided to this office that there have been major changes in economic, physical or social nature that was not anticipated by the Comprehensive Plan. All data collected and provided by this office (i.e. population projections and housing statistics) confirm the data within the current Comprehensive Plan. Current Comprehensive

Plan calls for low density residential development in the general area (0-3 units per acre) while the application for the zone change request calls for 4.25 units per acre.

William Covington made a motion to approve the request because the existing zoning classification is inappropriate and the requested zoning classification is appropriate because the necessary utilities are available to the site, Nick Kinman seconded the motion. A hand vote was taken, Marvin Faulkner - yes, Bill Marksberry - yes, Nick Kinman - yes, Brooke Rider - yes, Marlon Kinsey - abstained, William Covington - yes, Stephen Fritz - yes, Nancy Duley - yes, Kevin Hudson - no. Motion passes.

ITEM 12 - ZONE CHANGE - COOK - R2 TO HC

Jonathan read a letter from David Wallace, representing the applicant, requesting that the item be tabled for up to 6 months.

Mr. Neinaber stated that he will contact Mr. Wallace and request a letter waiving any time requirements to the Commission.

Marvin Faulkner made a motion to table the request for up to 6 months, Marlon Kinsey seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 13 - UNITED PROPANE GAS COMPANY - SITE PLAN

Ray Erpenbeck read a letter recommending approval of the site plan and approval of a waiver for the side walks, because there are no other sidewalks in the industrial park.

Logan Murphy stated that he believed that the sidewalk requirement had been waived with the preliminary plat submission.

Stephen Fritz made a motion to approve the waiver of the sidewalk, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 14 - HARBOR POINT - PRELIMINARY PLAT

Logan Murphy stated that the plat showed sewer and Water lines but that the location could change.

Ray Erpenbeck read a letter recommending approval of the Plat

Marvin Faulkner made a motion to approve the plat, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 15: CONVEYANCE PLATS - JULY

Nick Kinman made a motion to approve the list of conveyances, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 16: EXECUTIVE SESSION

Brooke Rider made a motion to go into executive session to discuss personnel, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Brooke Rider made a motion to come out of executive session, Nancy Duley seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Vernon Webster stated that no action was taken.

ITEM 17: OTHER BUSINESS

William Covington asked why the minutes were not in the packets. Jonathan stated that there were computer problems which prevented them from being in the packets.

Nick Kinman stated that he had someone say that Jonathan was ready to "swing" at someone in the office and told Jonathan that he needed to work on his "PR" skills. Becky stated that she was aware of the rumor and that she was in the office the entire time during the conversation and at no time did Jonathan appear to be ready to "swing". Nancy Duley stated that personnel issues needed to be discussed during executive session and not in the open. Tim Neinaber agreed with her.

Item 18. Adjournment

Nancy Duley made a motion to adjourn, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

JOHN LAWRENCE, CHAIRMAN - DATE

NICK KINMAN, SECRETARY - DATE

Aug 25th, 2003